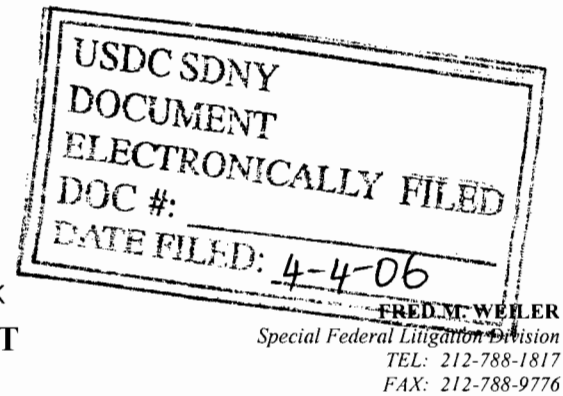




THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

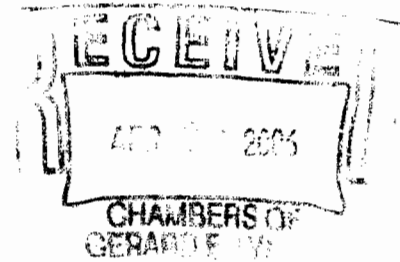
MICHAEL A. CARDOZO
Corporation Counsel



March 31, 2006

BY HAND

Honorable Gerald E. Lynch
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: Rechtschaffer v. City of New York, et al.
05 CV 9930 (GEL)

Dear Judge Lynch:

I am an assistant in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for Defendants City of New York (the "City") and Michael Cummings. I write with respect to the above-referenced matter, in which plaintiff sets forth constitutional claims relating to her alleged false arrest and unreasonable detention during the 2004 Republican National Convention. With this letter, and for the reasons set forth below, the City respectfully requests that the time in which defendants Rivera, Park, and presently unidentified "Undercover Shield 6216" must respond to the complaint be extended to and including April 28, 2006. This request is made with the consent of plaintiff's counsel. }

The complaint in this action names as defendants the City as well as the following NYPD officers: Officer Orlando Rivera, Officer John Park, [Detective] Michael Cummings, and "Undercover Shield 6216." On March 28, 2006, the City filed an answer on behalf of itself and Det. Michael Cummings, who had been served with the complaint and who had retained Corporation Counsel to represent him in this action. As of March 28, 2006, to our knowledge, only Det. Cummings and Officer Rivera had been served.

In trying to contact Officer Rivera, I learned that though he was served in January, he retired from the NYPD in early February. Thus, the City needs extra time in which to arrange for him to designate the NYPD to accept service on his behalf at One Police Plaza (standard

Hon. Gerald E. Lynch
March 31, 2006
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procedure for retired officers), allow him to be served, interview the officer, and interpose an answer on his behalf.

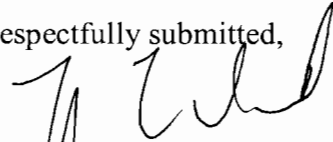
With respect to Officer Park, we were recently advised by the NYPD, to whom we gave his Tax Identification Number, that he is "no longer in the system," which means he may have retired. In any event, we are diligently attempting to locate him.

With respect to "Undercover Shield 6216," we are working with NYPD's Intelligence Division to identify this officer. Given his sensitive status as an undercover officer, we must arrange for him to be identified to plaintiff's counsel and served without disclosing his true identity and jeopardizing this officer's ability to perform undercover work in the future. This, too, requires extra time for the City.

For the foregoing reasons, and with the consent of plaintiff's counsel, the City respectfully requests that each of defendants Rivera, Park and "Undercover Shield 6216"'s time to answer or otherwise respond to the complaint in the above-referenced action be extended to and including April 28, 2006.

Thank you for your time and attention.

Respectfully submitted,


Fred M. Weiler (FW 5864)

cc: David Milton, Esq. (via fax)

*** SO ORDERED**


GERARD E. LYNCH, U.S.D.J.

4/3/06